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21 *Attorneys for Defendants SmileDirectClub, Inc.,*
22 *SmileDirectClub, LLC., and Jeffrey Sulitzer*

23 **UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 SAN FRANCISCO/OAKLAND DIVISION**

26 ARNOLD NAVARRO, *on behalf of himself*
27 *and others similarly situated*

28 **CASE NO. 3:22-CV-00095-WHO**

29 Plaintiff,

30 v.

31 SMILEDIRECTCLUB, INC.;
32 SMILEDIRECTCLUB, LLC;
33 JEFFREY SULITZER; DOES 1-10

34 Defendants.

35 **DECLARATION OF JEFFREY
36 SULITZER IN SUPPORT OF
37 DEFENDANTS' OPPOSITION TO
38 MOTION TO REMAND**

39 Date:

40 Time:

41 Place:

42 Judge: March 30, 2022

43 2 p.m.

44 Courtroom 2 - 17th Floor

45 Hon. William H. Orrick

46 **DECLARATION OF JEFFREY SULITZER:**

47 I, Jeffrey Sulitzer, declare as follows:

48 1. I am the Chief Clinical Officer of Defendant SmileDirectClub, LLC ("SDC"). In

49 **DECLARATION OF JEFFREY SULITZER IN SUPPORT OF DEFENDANTS' OPPOSITION TO MOTION**

50 **TO REMAND**

1 that capacity I have personal knowledge of the facts contained herein and if called upon to
2 testify, I could and would competently do so.

3 2. I make this affirmation in support of Defendants' Opposition to Plaintiff's Motion
4 to Remand ("Opposition"), filed contemporaneously herewith. Capitalized terms used, but
5 not otherwise defined herein, have the meanings ascribed to them in the Opposition.

6 3. I maintain a residence in Woodland, Washington. I intend to remain in Washington
7 indefinitely.

8 4. My spouse lives with me at my Woodland, Washington residence.

9 5. I own property in Washington, including my primary residence.

10 6. I pay taxes as a Washington resident, and I am registered to vote in Washington.

11 7. I have a Washington driver's license.

12 8. All of the automobiles that I own are registered in Washington.

13 9. I maintain brokerage and bank accounts in Washington.

14 10. While I am employed by SmileDirectClub, LLC, I do not work out of
15 SmileDirectClub, LLC's main offices in Nashville, Tennessee. Instead, I work remotely
16 from my home in Washington.

17 11. I am a member of the Washington State Dental Association.

18 12. SmileDirectClub, Inc.'s headquarters are in Nashville, Tennessee. The
19 corporation's officers direct and control the corporation from its Nashville headquarters,
20 where it conducts board meetings.

21 13. Attached hereto as Exhibit 1 is a true and correct copy of <https://smiledirectclub.com/blog/how-much-does-smiledirectclub-cost/> as it appeared on February
22 28, 2022. As indicated by the website, the price for treatment through SmileDirectClub's
23 telehealth platform ranges from \$1,950 to \$2,386.

24 14. In January 2018, Defendants offered certain potential customers a promotional
25 price of \$850, or fifty percent off the then-current price of \$1,700, for clear-aligner
26 treatment through SmileDirectClub's telehealth platform. The promotional \$850 price is
27

1 the lowest price charged for treatment through SmileDirectClub's telehealth platform since
2 December 3, 2017.

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5 DATE: February 28, 2022

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Jeffrey Sulitzer